

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**CALIBER AUTOMOTIVE
LIQUIDATORS, INC.**

Plaintiff,

Vs.

WADSWORTH FORD, INC.,

**Defendant/ Third
Party Plaintiff**

Vs.

C&R PROMOTIONS, ET AL.,

**Third Party
Defendants**

CASE NO.1:06CV2016

JUDGE CHRISTOPHER A. BOYKO

ORDER OF DISMISSAL

CHRISTOPHER A. BOYKO, J:

On January 5, 2007, Defendant/Third Party Plaintiff Wadsworth Ford, Inc., filed its Third-Party Complaint against several Defendants. On May 22, 2007, the Court ordered Wadsworth to show cause why the case should not be dismissed pursuant to Fed. R. Civ. P. 4(m). On June 5, 2007, Wadsworth responded in a brief supported by affidavit, outlining the efforts made to obtain service. While the Court recognizes the efforts made by Wadsworth to

perfect service on Third-Party Defendants, Wadsworth has had over one hundred eighty days to perfect service and has failed to do so. Therefore, the Court dismisses Wadsworth's Third-Party Complaint pursuant to Fed. R. Civ. P. 4(m). This dismissal is without prejudice.

IT IS SO ORDERED.

July 13, 2007
Date

s/Christopher A. Boyko
CHRISTOPHER A. BOYKO
United States District Judge